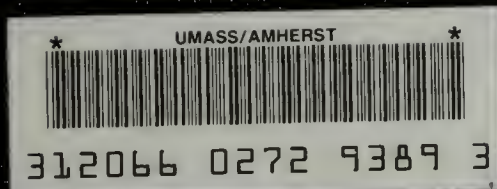


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The Commonwealth of Massachusetts

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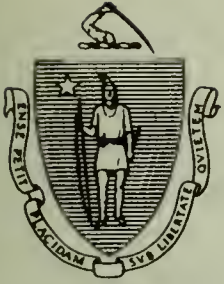
CIVIL SERVICE

Prepared by
THE
MASSACHUSETTS
DEPARTMENT OF
PERSONNEL
ADMINISTRATION

GOVERNMENT PRINTING
COMMISSION

NOV 15 1981

University of Massachusetts
Specialist Copy



The Commonwealth of Massachusetts

Division of Personnel Administration

One Ashburton Place, Boston, MA 02108

TO APPOINTING AUTHORITIES:

Your attention is invited to the following legislation enacted in 1981 affecting the Civil Service Law and Rules.

I. LEGISLATION OF GENERAL INTEREST

CHAPTER 322 - AN ACT RELATIVE TO THE APPOINTMENT OF THE CHIEF OF THE FIRE DEPARTMENT IN CERTAIN TOWNS AND DISTRICTS.

Chapter 322 of the Acts of 1981 amends section 42 of Chapter 48 of the General Laws, as amended by section 1 of Chapter 1048 of the Acts of 1973, by adding the following sentence: "The appointment of the chief of the fire department in any town or district having a population of 5,000 or less may be for a period of 3 years."

Chapter 322 of the Acts of 1981 is effective August 8, 1981.

CHAPTER 351 - THE APPROPRIATIONS ACT FOR THE FISCAL YEAR 1982.

Included in Chapter 351 is an amendment to section 115 of Chapter 90, Public Ways and Works for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.

The areas of interest are sections 20A and 20A½ of section 115 of Chapter 90.

This amendment is effective July 1, 1981.

CHAPTER 679 - AN ACT RELATIVE TO THE COLLECTIVE BARGAINING STATUS OF POLICE DETECTIVES IN CERTAIN CITIES AND TOWNS.

Section 1 of Chapter 679 of the Acts of 1981 amends the definition of "professional employee" in section 1 of Chapter 150E

of the General Laws, inserted by section 2 of Chapter 1078 of the Acts of 1973 by adding the following sentence: "Professional employee shall include a detective, member of a detective bureau or police officer who is primarily engaged in investigative work in any city or town police department which employs more than four hundred people."

Chapter 679 of the Acts of 1981 is effective December 23, 1981.

CHAPTER 699 - AN ACT FURTHER REGULATING THE PERSONNEL
SYSTEM OF THE COMMONWEALTH.

The Management Classification law makes several important changes in the existing system, primarily:

- 1) the reclassification of all state management positions involving some 2,500 managers into one of four new management career ladders and into one of 12 job group levels within each of those classifications;
- 2) the provision for immediate increases in the salary levels assigned to the newly classified positions based on relative competitiveness with state governments of other northeastern states and consistent with existing organized labor settlements for non-managerial employees.

Chapter 699 also establishes, as the basis for annual merit increases and for promotions and work assignments, performance appraisal procedures which evaluate the job performance of each state manager through uniform application of a set of objective standards for professional assessment. This Act mandates the Personnel Administrator to establish a career development and training program, and includes authority to create compensation incentives for the successful completion by state managers of certain course work. The new management classification program as enacted exempts certain managerial positions above a specified level from coverage under Civil Service or other tenure laws, guarantees to incumbent managers that salary, benefit compensation, Civil Service or tenure status, seniority, time-in-grade and other present employment rights will not be abridged under the new compensation plan, and provides expanded authority for recruitment and salary-setting of top-level state managers and executives.

The Act establishes a policy for the promotion of qualified employees, where practicable, from lower level management positions to middle and upper managerial positions while maintaining essential flexibility in the filling of higher level management position vacancies.

CHAPTER 704 - AN ACT TRANSFERRING THE DIVISION OF DRUG
REHABILITATION TO THE DEPARTMENT OF PUBLIC
HEALTH.

Attention is directed to the fourth paragraph of section 2 of the new Chapter 111E of the General Laws of Massachusetts which exempts certain titles from Chapter 31: "provided, however, that all positions established which, as a condition of receiving federal grants for programs and activities to which federal standards for a merit system of personnel administration relate, make necessary the application of the provisions of the Civil Service law shall be subject to the provisions of Chapter 31 if such federal standards are uniform in all states."

Chapter 704 of the Acts of 1981 is effective March 24, 1982.

CHAPTER 746 - AN ACT MAKING CERTAIN CHANGES IN THE LAWS
RELATIVE TO THE PARKING OF MOTOR VEHICLES.

Section 6 of Chapter 746 amends the first paragraph of section 20A½ of Chapter 90, as added by section 115 of Chapter 351 of the Acts of 1981, by striking out the third sentence and inserting in place thereof the following sentence: "The parking clerk shall have the authority, after such authorization by the mayor and city council in a city or town council or selectmen in a town, to hire and designate such personnel as may be necessary or contract by competitive bid for such services, subject to appropriation, to implement the provisions of this section; provided, however, that such positions shall be filled in the city of Boston and Cambridge by granting preference to persons who had been employees of said cities in the fire, police or traffic crossing guard service, and all such positions in said city of Boston and Cambridge shall be subject to Chapter 31, and in no case in the city of Boston and Cambridge shall the amount expended for administration of this section exceed eleven percent of the total amount of the annual receipts collected by the parking clerk."

Chapter 746 of the Acts of 1981 of the General Laws is effective January 2, 1982.

CHAPTER 747 - AN ACT APPROVING THE SALE OF PONDVILLE
HOSPITAL.

Section 9 of Chapter 747 concerns the protection of the rights of the employees of Pondville Hospital who elect to remain in the employment of the Commonwealth and those employees who do not elect to become employed by the purchaser nor elect to remain employees of the Commonwealth or for employees for whom a suitable job is not available with the Commonwealth.

Section 10 of Chapter 747 pertains to the accrued sick leave of those employees who elect to become employees of Norwood Hospital.

Chapter 747 of the Acts of 1981 of the General Laws is effective January 2, 1982.

CHAPTER 760 - AN ACT TRANSFERRING THE DIVISION OF LAW ENFORCEMENT FROM THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS TO THE DEPARTMENT OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES.

Section 2 of Chapter 760 amends Chapter 21 of the General Laws by striking out section 6 as most recently amended by section 50 of Chapter 706 and inserting in place thereof the following section:

Section 6. The division of law enforcement shall be within the department of fisheries, wildlife and recreational vehicles in the executive office of environmental affairs and shall be under the administrative supervisor of a director who shall be called the director of law enforcement: the director shall be qualified by training, experience and executive ability and shall not be subject to the provisions of chapter 31. The commissioner of the department of fisheries, wildlife and recreational vehicles shall appoint and may remove, with the approval of the secretary, said director. Said director shall appoint with the approval of said commissioner, subject to the provisions of chapter 31, such assistants to the director, enforcement officers and administrative personnel as may be necessary to carry out the duties of the division. Enforcement officers appointed under authority of this section shall be known as natural resource officers. With like approval the director may designate employees of the commonwealth and the United States as deputy natural resource officers.

Chapter 760 of the Acts of 1981 of the General Laws is effective April 2, 1982.

CHAPTER 767 - AN ACT PROVIDING FOR CERTAIN IMPROVEMENTS OF THE PERSONNEL ADMINISTRATION IN THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Chapter 767 is the product of the efforts of the Special Commission on Civil Service, which is continued by section 30 of the Act until December 28, 1983. Your attention is invited to the following important changes or additions made by the Act to

General Laws Chapter 31.

Section 10 of Chapter 767 inserts in section 1 of Chapter 31 a definition of "basic merit principles." Seasonal police officers for nine eastern counties are made exempt from Civil Service law.

Section 11 of Chapter 767 establishes standards and procedures which appeals to the Civil Service Commission must follow.

Section 12 of Chapter 767 places authority for the promulgation of Civil Service Rules in the Personnel Administrator.

Section 15 of Chapter 767 adds sections 6A, 6B, 6C to General Laws Chapter 31. These sections provide for a performance evaluation system for all Civil Service employees to be utilized in promotional decisions and in disciplinary/discharge actions pursuant to section 41 of Chapter 31.

Section 18 of Chapter 767 provides for performance evaluation during the probationary period after Civil Service appointment.

Section 20 of Chapter 767 makes changes in General Laws Chapter 31, section 43 as to jurisdiction and standards for decision of appeals of decisions of appointing authorities.

Section 21 of Chapter 767 adds to positions exempt from Civil Service pursuant to General Laws Chapter 31, section 48 the following: Confidential Secretaries and Administrative Assistants in Municipal Light Commissions; Executive Directors of Commissions on Aging; officers whose appointment or election is by a City Council, Town Council or subject to its confirmation; part-time municipal employees serving in the position of Electrical Inspector, Wiring Inspector, Plumbing Inspector; Gas Inspector, Sealer of Weights and Measures, and Assistant Sealer of Weights and Measures; Regional Director in the Department of Social Services.

Section 22 of Chapter 767 adds section 48A to General Laws Chapter 31. This statute mandates the Personnel Administrator to establish a Career Management Service Program for state service involving a maximum 6% of positions in each secretariat. Standards for designation of Career Management Service positions are set forth, as well as guidelines for selection of persons to fill such positions exempt from Civil Service.

Section 25 of Chapter 767 charges the Personnel Administrator with supervision of the Career Management Service Program.

Section 23 of Chapter 767 somewhat changes and also makes more specific the duty of all appointing authorities to file reports of employment actions upon request of the Personnel Administrator.

Section 24 of Chapter 767 adds section 31A to the General Laws. This statute offers all municipalities the option of establishing, with approval of the Personnel Administrator, a separate personnel merit system apart from Chapter 31. Provisions are included which mandate the appointment of a local Personnel Director and a local Merit Appeals Board.

Section 26 of Chapter 767 charges the Personnel Administrator with the establishment of examination procedures for the certification to permanent Civil Service positions of provisional employees who served in such status for six months prior to June 1, 1981 or who have previously passed a Civil Service examination and are now serving provisionally without interruption of service for more than two years following successful completion of a Civil Service examination.

CHAPTER 782 - AN ACT FURTHER REGULATING STATE AND LOCAL
TAXATION AND EXPENDITURES.

Sections 1 and 2 of Chapter 782 repeal section 4B of Chapter 4 and replace it.

Subsection (e) of the new section 4B specifies:

"This section shall not affect any contractual or civil service rights which have come into existence between the city, town or municipality and any officer or employee thereof as a result of the original acceptance of any such law or the provisions thereof; provided, however, that such revocation shall apply to the successor to the incumbent officer or employee, which application shall prevent such contractual or civil service right from automatically continuing with respect to such successor officer or employee."

Please note that:

(1) if vote to revoke was an official ballot for all voters at regular or special election, revocation (by majority) is effective first day of month after election;

(2) if vote to revoke is not by official ballot, etc., as above, the revocation is effective 61st day after vote if no petition of 5% of voters is filed with Town/City Clerk;

(3) if within 60 days after revocation vote not by official ballot, 5% of voters request that matter be placed on official ballot, revocation is suspended until next regular or special election, and then proceeds as in (1).

An emergency letter signed on January 14, 1982 by Governor Edward J. King makes the effective date of Chapter 782 of the Acts of 1981, January 14, 1982.

CHAPTER 808 - AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Department of Correction appropriation item 4311-0001 specifies that "the persons employed under the division of classification of prisoners shall not be subject to the civil service law and rules; and, provided, further, that notwithstanding any provision of law to the contrary, the director of civil service shall certify to the commissioner of correction, on receipt of permanent requisitions, names of correction officers to fill permanent vacancies and the salaries of such officers for the official training period shall be paid from this item including not more than 66 permanent positions."

Also, Parole Board appropriation item 4380-0001 specifies that "the position of employment officer, parole board, shall not be subject to the provisions of chapter 31 of the General Laws."

Also, Department of Public Health appropriation item 4510-0100 specifies that "the position of assistant commissioner shall not be subject to chapter 31 of the General Laws."

The effective date for the above-stated appropriation items is January 18, 1982.

II. LEGISLATION OF LOCAL OR LIMITED EFFECT

CHAPTER 10 - PROVIDING THAT THE AFFIRMATIVE VOTE OF AT LEAST EIGHT MEMBERS OF THE CITY COUNCIL SHALL BE REQUIRED FOR THE PASSAGE OF ANY ORDINANCE CREATING A NEW POSITION IN THE CITY OF PITTSFIELD.

Section 1 of Chapter 10 of the Acts of 1981 amends section 21 of Chapter 280 of the Acts of 1932 by striking out the fourth paragraph and inserting in place thereof the following paragraph:

"All final votes of the city council involving the expenditure of \$200 or more shall be by yeas and nays which shall be

entered in the records of the city council. On the request of one member any vote shall be by yeas and nays which shall be entered in the records. The affirmative vote of at least six members of the city council shall be required for the passage of any order, ordinance, resolution or vote; provided, however, that the affirmative vote of at least eight members of the city council shall be required for the passage of any ordinance creating a new position."

Chapter 10 of the Acts of 1981 is effective March 6, 1981.

CHAPTER 26 - AN ACT ESTABLISHING A SELECTMEN-ADMINISTRATOR
FORM OF GOVERNMENT FOR THE TOWN OF STONEHAM.

Section 10, sub-section (c) of Chapter 26 provides as follows:

"Except as otherwise provided by this act, the town administrator shall appoint upon merit and fitness alone and subject to the provisions of Chapter 31 of the General Laws where applicable, may remove all officers and employees of the town except employees of the school department; town officers and employees not subject to the provisions of Chapter 31 shall not be removed by him except on 10 days' notice in writing setting forth the cause of such removal.

Section 13 of Chapter 26 specifies, in part, that "the town administrator shall appoint, and may remove subject to the civil service laws where applicable, all department heads, all officers and all subordinates and employees for whom no other method of appointment is provided in this act, except persons serving under other elected agencies and appointments made by representatives of the commonwealth."

Section 21 of Chapter 26 specifies that "this Act shall be submitted for acceptance to the qualified voters of the town of Stoneham at the annual town meeting to be held in the year 1981 in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: 'Shall an act passed by the General Court in the year 1981, entitled, " An Act establishing a Selectmen-Town Administrator form of government in the town of Stoneham be accepted?"' "

If a majority of the votes in answer to said question is in the affirmative, said act shall take effect immediately.

CHAPTER 32 - AN ACT REORGANIZING THE DEPARTMENT OF PUBLIC
WORKS AND THE PARK AND RECREATION COMMISSION
IN THE TOWN OF BROOKLINE.

Section 1 of Chapter 32 amends Chapter 12 of the Acts of 1963 by striking out sections 1 to 5 inclusive and inserting the five sections indicated. In the substituted section 1, it specifies that the Commissioner of Public Works shall not be subject to Civil Service law. This substituted section 1 also states that all employees of the Department of Public Works in Brookline shall be subject to Civil Service law.

Section 2 of Chapter 32 amends Chapter 13 of the Acts of 1963 by striking out sections 2 to 4 inclusive and inserting in place thereof the three sections indicated.

Chapter 32 of the Acts of 1981 is effective March 18, 1981.

CHAPTER 76 - AN ACT ESTABLISHING THE SANDY NECK GOVERNING
BOARD OF THE TOWN OF BARNSTABLE.

The last paragraph of section 2, subsection 6(b) specifies the following:

"The Board of Selectmen may designate such employees of the Sandy Neck governing board as it deems advisable as enforcement persons who shall have within the area the jurisdiction of the Sandy Neck governing board, the powers and duties of police officers under section 98 of Chapter 41 of the General Laws, who shall be subject to the provisions of section 96B of Chapter 41 of the General Laws, but who shall not be subject to the provisions of Chapter 31 of the General Laws; and provided, further, that nothing in this section shall be construed to restrict, in any way, the authority of any police officer of the town."

Chapter 76 of the Acts of 1981 is effective April 9, 1981.

CHAPTER 103 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE
CITY OF WORCESTER FROM THE PROVISIONS OF
THE CIVIL SERVICE LAW.

Section 1 of Chapter 103 exempts the following positions from the provisions of Chapter 31 of the General Laws in the City of Worcester:

Deputy Commissioner of Public Works
Assistant Commissioner of Public Works for Administration
(Finance)
Assistant Commissioner of Public Works for Operations
Assistant Commissioner of Public Works for Engineering
Assistant Commissioner of Public Works for Management
Services

Section 2 specifies that "the provisions of section 1 shall not impair the civil service status of any incumbent holding permanent status in said positionson the effective date of this act."

The effective date of Chapter 103 of the Acts of 1981 is May 24, 1981.

CHAPTER 118 - AN ACT ESTABLISHING A DEPARTMENT OF WATER AND SEWER WORKS IN THE TOWN OF MEDWAY.

Section 1 of Chapter 118 amends Chapter 291 of the Acts of 1908 by inserting after section 8 a section 8A which specifies that the Board of Water Commissioners authorized by section 8 shall also act as the Board of Sewer Commissioners.

Section 2 specifies that the members of the Board of Water Commissioners and the members of the Sewer Commissioners in office on the effective date of this act shall be members of the Board of Water and Sewer Commissioners until the expiration of the term for which they were elected and in the town election held in 1981 and every year thereafter one member of the Board of Water and Sewer Commissioners shall be elected for a term of three years.

Chapter 118 of the Acts of 1981 is effective May 1, 1981.

CHAPTER 140 - AN ACT PROVIDING CIVIL SERVICE STATUS FOR CERTAIN EMPLOYEES OF THE WASTEWATER TREATMENT PLANT IN THE CITY OF HAVERHILL.

Section 1 of Chapter 140 of the Acts of 1981 specifies that:

"Notwithstanding the provisions of any law to the contrary, any person who is presently employed by the wastewater treatment plant in Haverhill on the effective date of this act, and who has been so employed for six months prior to June 1, 1980, and who is not otherwise exempt from the provisions of chapter 31 of the General Laws shall be deemed to have been appointed under the provisions of said chapter 31 from the date of his original employment; provided, however, that said employee meets all license and registration requirements for his respective position as determined by the personnel administrator of the division of personnel administration."

Chapter 140 of the Acts of 1981 of the General Laws is effective May 12, 1981.

CHAPTER 186 - AN ACT PROVIDING THAT THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF COHASSET SHALL BE EXEMPT FROM THE CIVIL SERVICE LAW.

Chapter 186 of the Acts of 1981 is effective May 27, 1981.

CHAPTER 189 - AN ACT EXEMPTING THE POSITION OF DEPUTY DIRECTOR OF PUBLIC WORKS IN THE CITY OF MEDFORD FROM THE CIVIL SERVICE LAW.

Chapter 189 of the Acts of 1981 of the General Laws is effective May 27, 1981.

CHAPTER 194 - AN ACT ESTABLISHING THE BOARD OF HEALTH IN THE CITY OF WALTHAM.

Section 5 of Chapter 194 of the Acts of 1981 states that it shall take effect upon its acceptance by the City of Waltham.

CHAPTER 199 - AN ACT PROVIDING THAT THE POSITION OF SUPERVISOR OF CAFETERIAS IN THE PUBLIC SCHOOLS OF THE TOWN OF SHREWSBURY SHALL BE EXEMPT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Chapter 199 of the Acts of 1981 of the General Laws is effective May 28, 1981.

CHAPTER 204 - AN ACT EXEMPTING THE OFFICE OF CHIEF OF POLICE OF THE CITY OF PITTSFIELD FROM THE CIVIL SERVICE LAW.

Section 1A of Chapter 204 specifies that the provisions of section 1 exempting the office of Chief of Police of Pittsfield from Chapter 31 of the General Laws shall not impair the Civil Service status of any person holding the office of Chief of Police in Pittsfield on the effective date of this act.

Chapter 204 of the Acts of 1981 of the General Laws is effective May 29, 1981.

CHAPTER 205 - AN ACT EXEMPTING ALL THE POSITIONS IN THE PERSONNEL DEPARTMENT IN THE CITY OF LYNN FROM THE CIVIL SERVICE LAW.

Section 1A of Chapter 205 of the Acts of 1981 specifies

that the provisions of section 1 exempting all positions and offices in the Lynn Personnel Department from Chapter 31 shall not impair the Civil Service status of any person holding an office or a position in the Personnel Department of said city on the effective date of this act.

Chapter 205 of the Acts of 1981 of the General Laws is effective May 29, 1981.

CHAPTER 246 - AN ACT PROVIDING TENURE UNTIL AGE SIXTY-SEVEN FOR LEONARD O. MACPHAIL, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF POLICE IN THE CITY OF LOWELL.

Section 1 of Chapter 246 specifies that Leonard O. MacPhail may be removed from the office of Superintendent of Police in Lowell for cause after a hearing in the manner provided by section 43 of Chapter 31 of the General Laws.

Section 2 of Chapter 246 states that after Leonard O. MacPhail has attained age 65 in office as the Lowell Superintendent of Police, no deductions shall be made from his regular compensation under the provisions of Chapter 32 and that upon his retirement he shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired at age 65.

Chapter 246 of the Acts of 1981 is effective June 18, 1981.

CHAPTER 248 - AN ACT RELATIVE TO THE APPOINTMENT OF CERTAIN OFFICERS AND EMPLOYEES IN THE TOWN OF WAREHAM.

Section 1 of Chapter 248 amends subsection (b) of section 4-2 of Article 4 of the home rule charter of the Town of Wareham on file with the State Secretary by striking out the first sentence and inserting in place thereof the following sentence:

"He shall appoint and remove, subject to the civil service law where applicable, all department heads, all officers and subordinates and employees for whom no other method of selection has been provided by said charter, except persons serving under other elected officers of multiple-member bodies or under any office or multiple-member body appointed by the board of selectmen and appointments made by representatives of the commonwealth."

Chapter 248 of the Acts of 1981 is effective June 18, 1981.

CHAPTER 251 - AN ACT AUTHORIZING THE TOWN OF COHASSET
TO RESCIND ITS ACCEPTANCE OF A CERTAIN LAW
RELATIVE TO THE APPOINTMENT AND POWERS OF
THE CHIEF OF THE FIRE DEPARTMENT.

Section 1 of Chapter 251 authorizes the Town of Cohasset to rescind the vote of the town meeting taken in 1929 whereby the Town voted to accept section 42 of Chapter 48 of the General Laws which is entitled: "Establishment; appointment of fire chief; compensation; removal; powers and duties."

Section 3 specifies that nothing contained in this act shall be construed so as to affect the Civil Service status, seniority, rank, retirement and any other rights of any member of or of the incumbents of Chief of the Fire Department or any other office within the Fire Department of the Town of Cohasset.

Chapter 251 of the Acts of 1981 of the General Laws is effective June 18, 1981.

CHAPTER 253 - AN ACT EXEMPTING THE POSITION OF DIRECTOR
OF VETERANS' SERVICES IN THE TOWN OF FRAM-
INGHAM FROM THE PROVISIONS OF CIVIL SERVICE
LAW.

Section 2 of Chapter 253 specifies that the provisions of section 1 exempting the position of Director of Veterans' Services in the Town of Framingham from Chapter 31 shall not impair the Civil Service status of any person holding the position of Director of Veterans' Services in said town on the effective date of this act.

Chapter 253 of the Acts of 1981 of the General Laws is effective June 18, 1981.

CHAPTER 255 - AN ACT EXEMPTING THE CHIEF AND POLICE
OFFICERS IN THE TOWN OF HANSON FROM THE
PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 255 exempts the office of Chief of Police and appointments to the Police Department in the Town of Hanson from the provisions of Chapter 31 of the General Laws.

The first paragraph of section 2 specifies that the tenure of office of any permanent full-time member of the Hanson Police Department, who has served in his respective office for a period of one year and who has served as a Hanson Police Officer

for three consecutive years, shall be unlimited until he attains the age of 65, unless he is incapacitated by physical or mental disability from performing his duties or unless he is removed for just cause by the Board of Selectmen in the manner described in the balance of section 2.

Section 3 of Chapter 255 states that the provisions of this act shall not impair the Civil Service status of the incumbent Chief of Police holding permanent Civil Service or the permanent or probationary Civil Service status of any member of the Hanson Police Department on the effective date of this act.

Chapter 255 of the Acts of 1981 is effective June 18, 1981.

CHAPTER 288 - AN ACT EXEMPTING THE OFFICE OF FIRE CHIEF
IN THE TOWN OF WINTHROP FROM THE PROVISIONS
OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 288 exempts the office of Fire Chief in the Town of Winthrop from the provisions of Chapter 31 of the the General Laws.

Section 1A specifies that the provisions of this act shall not impair the Civil Service status of the Fire Chief in the Town of Winthrop holding Civil Service status on the effective date of this act.

Chapter 288 of the Acts of 1981 is effective June 26, 1981.

CHAPTER 309 - AN ACT PROVIDING THAT THE OFFICE OF CHIEF
OF POLICE AND THE MEMBERS OF THE POLICE
DEPARTMENT OF THE TOWN OF TRURO SHALL BE
EXEMPT FROM THE CIVIL SERVICE LAW.

Section 3 of Chapter 309 of the Acts of 1981 specifies that this act shall be submitted for acceptance to the voters of the Town of Truro at the next annual election in the form of the following question which shall be placed on the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year 1981, entitled 'An Act providing that the office of chief of police and the members of the police department of the town of Truro shall be exempt from the civil service law', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

CHAPTER 315 - AN ACT EXEMPTING THE POSITION OF WATER PUMPING STATION OPERATOR IN THE TOWN OF FRANKLIN FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 315 of the Acts of 1981 is effective July 9, 1981.

CHAPTER 316 - AN ACT RELATIVE TO THE TERM FOR WHICH MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF NORTHBOROUGH SHALL BE APPOINTED.

Section 1 of Chapter 316 specifies that notwithstanding the provisions of section 97A of Chapter 41 of the General Laws or any other general or special law to the contrary, the Selectmen of the Town of Northborough may appoint the Chief of Police and other officers for such term of years as said Selectmen may determine.

Chapter 316 of the Acts of 1981 is effective July 9, 1981.

CHAPTER 321 - AN ACT EXEMPTING THE POSITION OF CHIEF OF POLICE IN THE TOWN OF TYNGSBOROUGH FROM THE CIVIL SERVICE LAW.

Section 1 of Chapter 321 exempts the position of Chief of Police in the Town of Tyngsborough from the provisions of Chapter 31 of the General Laws.

Chapter 321 of the Acts of 1981 is effective July 9, 1981.

CHAPTER 328 - AN ACT EXEMPTING CERTAIN EMPLOYEES OF THE DEPARTMENT OF HOUSING SERVICES IN THE CITY OF NEWTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 328 specifies that notwithstanding the provisions of any general or special law to the contrary, the City of Newton may employ persons who are tenants in apartment units regulated and operated by the Department of Housing Services in positions within said department, and that the employment by said city of any such person in any such position shall be exempt from the provisions of Chapter 31 of the General Laws.

Section 3 of Chapter 328 states that any person employed in any position within said Department of Housing Services who is

exempt from Chapter 31, as provided in sections one and two, shall not be retained as a tenured employee in such position, and any tenant exempt from Chapter 31 under section 1, may at the discretion of said city, continue in such exempt position, after such person ceases to be a tenant in an apartment unit regulated by said department.

Chapter 328 of the Acts of 1981 of the General Laws is effective August 8, 1981.

CHAPTER 334 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE CITY KNOWN AS THE TOWN OF METHUEN FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Section 1 of Chapter 334 specifies that all positions in the office of the City Clerk, the Assessor's office, the Solicitor's office and the Accountant's office in Methuen shall be exempt from the provisions of Chapter 31.

Section 2 of Chapter 334 states that the provisions of section 1 shall not impair the Civil Service status of any person employed in the above-mentioned offices on the effective date of this act.

Chapter 334 of the Acts of 1981 of the General Laws is effective July 10, 1981.

CHAPTER 350 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF ANDOVER FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 350 states that the positions of Plumbing and Electrical Inspector and Sealer of Weights and Measures in the Town of Andover shall be exempt from the provisions of Chapter 31.

Section 2 of Chapter 350 states that the provisions of section 1 shall not impair the Civil Service status of an incumbent holding such positions on the effective date of this act.

Chapter 350 of the Acts of 1981 of the General Laws is effective August 16, 1981.

CHAPTER 360 - AN ACT EXEMPTING THE POSITIONS OF THE SEALER AND DEPUTY SEALER OF WEIGHTS AND MEASURES AND THE INSPECTOR AND DEPUTY INSPECTOR OF WEIGHTS AND MEASURES IN THE TOWN OF READING FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 360 specifies that the positions of Sealer of Weights and Measures, Deputy Sealer of Weights and Measures, Inspector of Weights and Measures and Deputy Inspector of Weights and Measures in the Town of Reading shall not be subject to Chapter 31 of the General Laws.

Section 1A states that the provisions of section 1 shall not impair the Civil Service status of any person holding the above positions on the effective date of this act.

Chapter 360 of the Acts of 1981 is effective August 3, 1981.

CHAPTER 361 - AN ACT EXEMPTING THE POSITIONS OF SUPERINTENDENT OF CEMETERIES, WATER/SEWER SUPERINTENDENT, MANAGER OF THE WATER DEPARTMENT AND SUPERINTENDENT OF STREETS IN THE TOWN OF IPSWICH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 361 exempts the above-stated positions from the provisions of Chapter 31 of the General Laws.

Section 2 specifies that the provisions of section 1 shall not impair the Civil Service status of an incumbent holding permanent Civil Service status in the position of Superintendent of Cemeteries in the Town of Ipswich on the effective date of this act.

Chapter 361 of the Acts of 1981 of the General Laws is effective August 3, 1981.

CHAPTER 364 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF WELLESLEY FROM THE PROVISIONS OF CIVIL SERVICE LAW.

Section 1 of Chapter 364 states that the positions of Plumbing Inspector and Sealer of Weights and Measures in the Town of Wellesley shall be exempt from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 364 specifies that the provisions of section 1 shall not impair the Civil Service status of any of the incumbents of said positions on the effective date of this act.

Chapter 364 of the Acts of 1981 is effective August 3, 1981.

CHAPTER 365 - AN ACT EXEMPTING THE POSITIONS OF PLUMBING INSPECTOR AND GAS INSPECTOR IN THE TOWN OF LAKEVILLE FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 365 exempts the positions of Plumbing and Gas Inspector in the Town of Lakeville from the provisions of Chapter 31.

Section 1A of Chapter 365 states that the provisions of section 1 shall not impair the Civil Service status of any person holding the position of Plumbing Inspector or Gas Inspector in Lakeville on the effective date of this act.

Chapter 365 of the Acts of 1981 is effective August 3, 1981.

CHAPTER 366 - AN ACT EXEMPTING THE POSITIONS OF SEALER OF WEIGHTS AND MEASURES, PLUMBING INSPECTOR AND ALTERNATE PLUMBING INSPECTOR IN THE TOWN OF SOMERSET FROM THE CIVIL SERVICE LAW.

Section 1 of Chapter 366 exempts the stated positions in the Town of Somerset from the provisions of Chapter 31.

Section 2 specifies that the provisions of section 1 shall not impair the Civil Service status of any person holding these positions in Somerset on the effective date of this act.

Chapter 366 of the Acts of 1981 is effective August 3, 1981.

CHAPTER 370 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF BELMONT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 370 repeals Chapter 621 of the Acts of 1972.

Section 2 of Chapter 370 exempts the positions of Assistant Superintendent of Highways and Highway and Incinerator Foreman in the Highway Department of the Town of Belmont from the provisions of Chapter 31.

Section 3 specifies that the provisions of sections 1 and 2 of this act shall not impair the Civil Service status of any person holding the positions of Assistant Superintendent of Highways and Highway and Incinerator Foreman in the Highway Department in Belmont on the effective date of this act.

Chapter 370 of the Acts of 1981 of the General Laws is effective September 2, 1981.

CHAPTER 376 - AN ACT EXEMPTING THE POSITIONS OF SEALER OF WEIGHTS AND MEASURES, PLUMBING INSPECTOR, AND INSPECTOR OF GASFITTING IN THE TOWN OF YARMOUTH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 376 exempts the stated positions in the Town of Yarmouth from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 376 specifies that the provisions of section 1 shall not impair the Civil Service status of any incumbents holding permanent Civil Service status in these positions in the Town of Yarmouth on the effective date of this act.

Chapter 376 of the Acts of 1981 is effective August 6, 1981.

CHAPTER 377 - AN ACT EXEMPTING THE POSITION OF CHIEF OF POLICE IN THE TOWN OF NANTUCKET FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND TENURE PROVISIONS AND PROVIDING FOR THE APPOINTMENT OF SUCH CHIEF OF POLICE.

Section 1 exempts the position of Chief of Police in the Town of Nantucket from the provisions of Chapter 31 or any tenure provisions previously enacted; any person may serve as Chief of Police by appointment or contract, the terms of which shall be set by the Board of Selectmen of Nantucket. It further sets forth that the appointment or contract shall provide the manner and terms on which said appointment or contract may be terminated by the Board of Selectmen and other responsibilities of this board.

Section 2 specifies that the provisions of section 1 shall not apply to the incumbent Chief of Police or to any other member of the Nantucket Police Department unless appointed to the position of Chief of Police.

Chapter 377 of the Acts of 1981 of the General Laws is effective August 6, 1981.

CHAPTER 398 - AN ACT EXEMPTING THE POSITIONS OF SEALER OF WEIGHTS AND MEASURES AND PLUMBING AND GAS INSPECTOR IN THE TOWN OF LEXINGTON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW AND RULES.

Section 1 of Chapter 398 exempts the above-stated positions from the provisions of Chapter 31 of the General Laws.

Section 2 specifies that the provisions of section 1 shall not impair the Civil Service status of any person holding the position of Sealer of Weights and Measures or Plumbing and Gas Inspector in the Town of Lexington on the effective date of this act.

Chapter 398 of the Acts of 1981 of the General Laws is effective September 24, 1981.

CHAPTER 414 - AN ACT EXEMPTING THE POSITIONS OF POLICE SERVICE AIDES IN THE POLICE DEPARTMENT IN THE CITY OF WORCESTER FROM THE CIVIL SERVICE LAW.

Section 1 exempts the positions of Police Service Aides in the Police Department of the City of Worcester from the provisions of Chapter 31 of the General Laws.

Chapter 414 of the Acts of 1981 of the General Laws is effective September 29, 1981.

CHAPTER 416 - AN ACT EXEMPTING CERTAIN POSITIONS IN THE TOWN OF WAYLAND FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 416 exempts the positions of Plumbing Inspector and Sealer of Weights and Measures in the Town of Wayland from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 416 states that the provisions of section 1 shall not impair the Civil Service status of any Plumbing Inspector or Sealer of Weights and Measures in the Town of Wayland holding Civil Service status on the effective date of this act.

Chapter 416 of the Acts of 1981 of the General Laws is effective September 29, 1981.

CHAPTER 417 - AN ACT EXEMPTING THE POSITION OF SUPERVISOR OF CUSTODIANS AND MAINTENANCE IN THE SCHOOL DEPARTMENT OF THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 417 exempts the position of Supervisor of Custodians and Maintenance in the Marlborough School Department from the provisions of Chapter 31.

Section 2 specifies that the provisions of section 1 shall not impair the Civil Service status of any person holding the position of Supervisor of Custodians and Maintenance in the Marlborough School Department on the effective date of this act.

Chapter 417 of the Acts of 1981 is effective September 29, 1981.

CHAPTER 452 - AN ACT EXEMPTING ALL POSITIONS IN THE CITY KNOWN AS THE TOWN OF AGAWAM FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 452 exempts all positions in all departments in Agawam from the provisions of Chapter 31 of the General Laws.

Section 2 puts the acceptance or rejection of this act in the hands of the voters of Agawam at its next regular election.

CHAPTER 462 - AN ACT RELATIVE TO POLICE CADETS IN THE CITY OF BOSTON.

Chapter 462 amends section 1 of Chapter 174 of the Acts of 1978 by striking out the first sentence as amended by section 1 of Chapter 560 of the Acts of 1979 and inserting in place thereof the following sentence:

"Notwithstanding the provisions of Chapter 31 of the General Laws, any person who has completed not less than two

years of service as a police cadet or who has completed any such service as a cadet prior to 1973, provided such person has also completed at least two years of service as a civilian employee of said department performing the same or similar function as performed while a cadet in the police department of the city of Boston under the provisions of section 21A of Chapter 147 of the General Laws may, subject to a program established by the police commissioner of said city and approved by the personnel administrator of the state division of personnel administration and the Massachusetts criminal justice training council, be appointed to fill a vacancy in a position in the lowest grade in the police force of said city without certification from an eligible list prepared under the provisions of chapter 31 of the General Laws; provided, however, that such person either is on a police entrance eligible list prepared under said chapter 31 or passes a qualifying examination to be given by said personnel administrator. "

Chapter 462 of the Acts of 1981 of the General Laws is effective November 14, 1981.

CHAPTER 478 - AN ACT EXEMPTING THE POSITION OF CHIEF OF
THE FIRE DEPARTMENT OF THE TOWN OF BEDFORD
FROM THE CIVIL SERVICE LAW.

Section 1 of Chapter 478 exempts the position of Chief of the Fire Department of the Town of Bedford from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 478 states that the provisions of section 1 shall not impair the Civil Service status of any person holding the position of Chief of the Fire Department in the Town of Bedford on the effective date of this act.

Chapter 478 of the Acts of 1981 is effective October 26, 1981.

CHAPTER 479 - AN ACT EXEMPTING CERTAIN EMPLOYEES OF THE
CITY OF PEABODY FROM THE PROVISIONS OF THE
CIVIL SERVICE LAW.

Section 1 of Chapter 479 amends Chapter 854 of the Acts of 1974 by striking out the first sentence and inserting in place thereof the following sentence:

"Notwithstanding any provisions of section 15 of Chapter 31 of the General Laws or any other law or rules pertaining thereto to the contrary, the position of bookkeeping machine operator

in the purchasing department while held by Georgia Southwick, the position of bookkeeping machine operator in the data processing department while held by Mae Asker, the position of assistant clerk in the assessor's department while held by Pauline Hudson, the position of junior clerk typist in the police department while held by Dorothy Sullivan, the position of senior clerk typist in the data processing department while held by Geraldine Van Bobo, and the position of senior clerk typist in the police department while held by Ronald Almeida in the city of Peabody shall not be subject to the provisions of said chapter 31 whether or not such positions in the city of Peabody would otherwise be subject to said chapter."

Chapter 479 of the Acts of 1981 is effective October 26, 1981.

CHAPTER 529 - AN ACT EXEMPTING THE POSITIONS OF SEALER OF WEIGHTS AND MEASURES, DEPUTY SEALER OF WEIGHTS AND MEASURES, INSPECTOR OF PLUMBING AND DEPUTY INSPECTOR OF PLUMBING IN THE TOWN OF HANOVER FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 529 exempts the above-stated positions in the Town of Hanover from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 529 specifies that the provisions of section 1 shall not impair the Civil Service status of any person holding the above-stated positions in the Town of Hanover on the effective date of this act.

Chapter 529 of the Acts of 1981 is effective November 10, 1981.

CHAPTER 537 - AN ACT EXEMPTING THE POSITION OF SUPERINTENDENT OF CEMETERIES IN THE CITY OF MARLBOROUGH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 537 specifies that the above-stated position in the City of Marlborough shall be exempt from the provisions of Chapter 31 and that the provisions of this act shall not apply to any person employed in permanent status as Superintendent of Cemeteries in the City of Marlborough on the effective date of this act.

Chapter 537 of the Acts of 1981 is effective November 12, 1981.

CHAPTER 590 - AN ACT EXEMPTING THE POSITION OF DIRECTOR OF MAINTENANCE IN THE SCHOOL DEPARTMENT IN THE TOWN OF RANDOLPH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 590 exempts the position of Director of Maintenance in the School Department of the Town of Randolph from the provisions of Chapter 31 of the General Laws.

Section 2 states that the provisions of section 1 shall not impair the Civil Service status of any person holding Civil Service status in the position of Director of Maintenance in the Randolph School Department on the effective date of this act.

Chapter 590 of the Acts of 1981 is effective November 30, 1981.

CHAPTER 591 - AN ACT EXEMPTING THE POSITION OF DIRECTOR OF FOOD SERVICES IN THE TOWN OF RANDOLPH FROM THE PROVISIONS OF THE CIVIL SERVICE LAW.

Section 1 of Chapter 591 exempts the position of Director of Food Services in the Town of Randolph from the provisions of Chapter 31 of the General Laws.

Section 2 of Chapter 591 specifies that the provisions of section 1 shall not impair the Civil Service status of any person holding Civil Service status in the position of Director of Food Services in the School Department of the Town of Randolph on the effective date of this act.

Chapter 591 of the Acts of 1981 is effective November 30, 1981.

CHAPTER 740 - AN ACT ESTABLISHING THE GLOUCESTER PIER ADVISORY BOARD.

Section 4 of Chapter 740 of the Acts of 1981 specifies that the Executive Director and the necessary laborers, clerical personnel and other employees or assistants from time to time, the number, wages, salaries and terms of employment of such employees, shall be approved by the Director and the appointment and removal of all such employees shall not be subject to Chapter 31 of the General Laws.

Chapter 740 of the Acts of 1981 of the General Laws is effective January 2, 1982.

CHAPTER 766 - AN ACT PROVIDING FOR THE ESTABLISHMENT AND
ADMINISTRATION OF RENT REGULATIONS AND THE
CONTROL OF EVICTIONS IN MOBILE HOME PARK
ACCOMMODATIONS IN THE TOWN OF WILLIAMSTOWN.

Section 7 of Chapter 766 specifies that the personnel of the Rent Board established under section 2 shall not be subject to the provisions of section 9A of Chapter 30 or Chapter 31 of the General Laws.

Section 9 of Chapter 766 states that this act shall be submitted to the voters of the Town of Williamstown at its next election in the form of a question and that if the majority of the votes in answer to said question is in the affirmative, this act shall take effect sixty days after such acceptance, but not otherwise.

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Requests for copies of the acts referred to herein should be directed to the Secretary of the Commonwealth, State Book Store, Room 116, State House, Boston, MA 02133. See Appendix A for a listing of the various chapters summarized in the document.

If you need extra copies of this document, please notify me forthwith. A limited number of extra copies were made. These will be held for a reasonable time to take care of requests for additional copies and will then be released for general distribution to the public.

Very truly yours,



David M. Marchand
Personnel Administrator

Civil Service Commission

James W. Agoritsas, Chairman
Wayne A. Budd
John F. Donegan
Joseph M. Duffy
Richard H. Linden

APPENDIX A

Acts of 1981 Affecting Civil Service Law
Legislation of General Interest

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
322	An Act Relative to the Appointment of the Chief of the Fire Department in Certain Towns and Districts.	1
351	The Appropriations Act for the Fiscal Year 1982.	1
679	An Act Relative to the Collective Bargaining Status of Police Detectives in Certain Cities and Towns.	1,2
699	An Act Further Regulating the Personnel System of the Commonwealth.	2
704	An Act Transferring the Division of Drug Rehabilitation to the Department of Public Health.	3
746	An Act Making Certain Changes in the Laws Relative to the Parking of Motor Vehicles.	3
747	An Act Approving the Sale of Pondville Hospital.	3,4
760	An Act Transferring the Division of Law Enforcement from the Executive Office of Environmental Affairs to the Department of Fisheries, Wildlife and Recreational Vehicles.	4
767	An Act Providing for Certain Improvements of the Personnel Administration in the Commonwealth and Its Political Subdivisions.	4,5,6
782	An Act Further Regulating State and Local Taxation and Expenditures.	6,7

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
<u>Legislation of General Interest (Continued)</u>		
808	An Act Making Appropriations for the Fiscal Year Ending June 30, 1982 to Provide for Supplementing Certain Existing Appropriations and for Certain New Activities and Projects.	7
<u>Legislation of Local or Limited Effect</u>		
10	An Act Providing that the Affirmative Vote of at Least Eight Members of the City Council Shall Be Required for the Passage of Any Ordinance Creating a New Position in the City of Pittsfield.	7, 8
26	An Act Establishing a Selectmen-Administrator Form of Government for the Town of Stoneham.	8
32	An Act Reorganizing the Department of Public Works and the Park and Recreation Commission in the Town of Brookline.	9
76	An Act Establishing the Sandy Neck Governing Board of the Town of Barnstable.	9
103	An Act Exempting Certain Positions in the City of Worcester From the Provisions of the Civil Service Law.	9, 10
118	An Act Establishing a Department of Water and Sewer Works in the Town of Medway.	10
140	An Act Providing Civil Service Status for Certain Employees of the Wastewater Treatment Plant in the City of Haverhill.	10
186	An Act Providing that the Office of Chief of the Fire Department of the Town of Cohasset Shall Be Exempt from the Civil Service Law.	11
189	An Act Exempting the Position of Deputy Director of Public Works in the City of Medford from the Civil Service Law.	11

Legislation of Local or Limited Effect

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
194	An Act Establishing the Board of Health in the City of Waltham.	11
199	An Act Providing that the Position of Supervisor of Cafeterias in the Public Schools of the Town of Shrewsbury Shall Be Exempt from the Provisions of the Civil Service Law and Rules.	11
204	An Act Exempting the Office of Chief of Police of the City of Pittsfield from the Civil Service Law.	11
205	An Act Exempting All the Positions in the Personnel Department in the City of Lynn from the Civil Service Law.	11,12
246	An Act Providing Tenure Until Age Sixty-seven for Leonard O. MacPhail, Incumbent of the Office of Superintendent of Police in the City of Lowell.	12
248	An Act Relative to the Appointment of Certain Officers and Employees in the Town of Wareham.	12
251	An Act Authorizing the Town of Cohasset to Rescind Its Acceptance of a Certain Law Relative to the Appointment and Powers of the Chief of the Fire Department.	13
253	An Act Exempting the Position of Director of Veterans' Services in the Town of Framingham from the Provisions of Civil Service Law.	13
255	An Act Exempting the Chief and Police Officers in the Town of Hanson from the Provisions of the Civil Service Law.	13,14
288	An Act Exempting the Office of Fire Chief in the Town of Winthrop from the Provisions of the Civil Service Law.	14

Legislation of Local or Limited Effect

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
309	An Act Providing that the Office of Chief of Police and the Members of the Police Department of the Town of Truro Shall Be Exempt From the Civil Service Law.	14
315	An Act Exempting the Position of Water Pumping Station Operator in the Town of Franklin from the Provisions of the Civil Service Law.	15
316	An Act Relative to the Term for Which Members of the Police Department of the Town of Northborough Shall Be Appointed.	15
321	An Act Exempting the Position of Chief of Police in the Town of Tyngsborough from the Civil Service Law.	15
328	An Act Exempting Certain Employees of the Department of Housing Services in the City of Newton from the Provisions of the Civil Service Law.	15,16
334	An Act Exempting Certain Positions in the City Known as the Town of Methuen from the Provisions of Civil Service Law.	16
350	An Act Exempting Certain Positions in the Town of Andover from the Provisions of the Civil Service Law.	16
360	An Act Exempting the Positions of the Sealer and Deputy Sealer of Weights and Measures and the Inspector and Deputy Inspector of Weights and Measures in the Town of Reading from the Provisions of the Civil Service Law.	17
361	An Act Exempting the Positions of Superintendent of Cemeteries, Water/Sewer Superintendent, Manager of the Water Department and Superintendent of Streets in the Town of Ipswich from the Provisions of the Civil Service Law.	17

Legislation of Local or Limited Effect

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
364	An Act Exempting Certain Positions in the Town of Wellesley from the Provisions of Civil Service Law.	17,18
365	An Act Exempting the Positions of Plumbing Inspector and Gas Inspector in the Town of Lakeville from the Provisions of the Civil Service Law.	18
366	An Act Exempting the Positions of Sealer of Weights and Measures, Plumbing Inspector and Alternate Plumbing Inspector in the Town of Somerset from the Civil Service Law.	18
370	An Act Exempting Certain Positions in the Town of Belmont from the Provisions of the Civil Service Law.	18,19
376	An Act Exempting the Positions of Sealer of Weights and Measures, Plumbing Inspector, and Inspector of Gasfitting in the Town of Yarmouth from the Provisions of the Civil Service Law.	19
377	An Act Exempting the Position of Chief of Police in the Town of Nantucket from the Provisions of the Civil Service Law and Tenure Provisions and Providing for the Appointment of Such Chief of Police.	19,20
398	An Act Exempting the Positions of Sealer of Weights and Measures and Plumbing and Gas Inspector in the Town of Lexington from the Provisions of the Civil Service Law and Rules.	20
414	An Act Exempting the Positions of Police Service Aides in the Police Department in the City of Worcester from the Civil Service Law.	20

Legislation of Local or Limited Effect

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
416	An Act Exempting Certain Positions in the Town of Wayland from the Provisions of the Civil Service Law.	20,21
417	An Act Exempting the Position of Supervisor of Custodians and Maintenance in the School Department of the City of Marlborough from the Provisions of the Civil Service Law.	21
452	An Act Exempting All Positions in the City Known as the Town of Agawam from the Provisions of the Civil Service Law.	21
462	An Act Relative to Police Cadets in the City of Boston.	21,22
478	An Act Exempting the Position of Chief of the Fire Department of the Town of Bedford from the Civil Service Law.	22
479	An Act Exempting Certain Employees of the City of Peabody from the Provisions of the Civil Service Law.	22,23
529	An Act Exempting the Positions of Sealer of Weights and Measures, Deputy Sealer of Weights and Measures, Inspector of Plumbing and Deputy Inspector of Plumbing in the Town of Hanover from the Provisions of the Civil Service Law.	23
537	An Act Exempting the Position of Superintendent of Cemeteries in the City of Marlborough from the Provisions of the Civil Service Law.	23
590	An Act Exempting the Position of Director of Maintenance in the School Department in the Town of Randolph from the Provisions of the Civil Service Law.	24
591	An Act Exempting the Position of Director of Food Services in the Town of Randolph from the Provisions of the Civil Service law.	24

Legislation of Local or Limited Effect

<u>Chapter</u>	<u>Caption</u>	<u>Page</u>
740	An Act Establishing the Gloucester Pier Advisory Board.	24
766	An Act Providing for the Establishment and Administration of Rent Regulations and the Control of Evictions in Mobile Home Park Accommodations in the Town of Williamstown.	25

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